

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA**

**ROBERT H. NICHOLSON, individually,  
and ROBERT H. NICHOLSON, Trustee of  
the Eleanor M. Nicholson Revocable Trust,**

**Plaintiff,**

**v.**

**Civil Action No. 2:05 CV 73  
(Maxwell)**

**CONSOL ENERGY, INC.**

**Defendant.**

**ORDER**

By notice issued by the Clerk of Court on November 7, 2007, a Status Conference was set in the above-styled civil action for Tuesday, November 27, 2007 at 10:00 a.m. On November 21, 2007, Plaintiff's counsel filed a Motion For Continuance of the November 27 Status Conference. In support of his Motion, Plaintiff's counsel states that he will be out of the country, and further avers that counsel for Defendant does not object to the requested continuance. Accordingly, the Court finding just cause to do so, it is hereby

**ORDERED** that Plaintiff's Motion For Continuance shall be, and the same hereby is, **GRANTED**. It is further

**ORDERED** that the Status Conference, scheduled for Tuesday, November 21, 2007 shall be, and the same hereby is, **CONTINUED** until **January 15, 2008 at 10:00 a.m.**

The Clerk is directed to transmit copies of this Order to counsel of record herein.

**ENTER:** November 26<sup>th</sup>, 2007

**/s/ Robert E. Maxwell**  
United States District Judge